

JOINT
PUBLIC NOTICE

CHARLESTON DISTRICT, CORPS OF ENGINEERS
69A Hagood Avenue
Charleston, South Carolina 29403-5107
and
THE S.C. DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL
Office of Environmental Quality Control
Water Quality Certification and Wetlands Programs Section
2600 Bull Street
Columbia, South Carolina 29201

REGULATORY DIVISION
Refer to: P/N # SAC-2006-2524-2IG

20 October 16, 2006

Pursuant to Sections 401 and 404 of the Clean Water Act (33 U.S.C. 1344), and the South Carolina Coastal Zone Management Act (48-39-10 et seq.) an application has been submitted to the Department of the Army and the S.C. Department of Health and Environmental Control by

SOUTH CAROLINA PUBLIC RAILWAYS
C/O MACTEC ENGINEERING AND CONSULTING, INC.
720 GRACERN ROAD, SUITE 132
COLUMBIA, SOUTH CAROLINA 29210

for a change of use and modification of existing permit #2002-1U-265 to place fill material in

WATERS OF THE UNITED STATES

at a location, a 761 acre tract of land adjacent to Interstate 26 and SC Route 46, north of the Town of Summerville, in Berkeley and Dorchester Counties, South Carolina.
(Latitude 33.05593°- Longitude -80 18011°)

Directions to the site: Take Interstate 26 west from Charleston. Take Exit 194 onto Jedburg Road toward Jedburg (left). Take the first left on Old Dairy Road. Continue on Old Dairy Road for Approximately 1.5 miles. Take a left on Fields Road. Follow the dirt road to the gate. All site access must be coordinated with the agent, Allen W. Conger @ 803-798-1200.

In order to give all interested parties an opportunity to express their views

NOTICE

is hereby given that written statements regarding the proposed work will be received by both of the above mentioned offices until

12 O'CLOCK NOON, MONDAY, NOVEMBER 20, 2006

from those interested in the activity and whose interests may be affected by the proposed work.

The proposed work consists of placing fill material in 52.12 acres of jurisdictional wetlands, back fill in 0.43 acres of wetlands, performing land clearing in 0.45 acres of wetlands, excavation in 3.83 acres of wetlands and fill material in 1.37 acres of jurisdictional ditches. The total impacts proposed for jurisdictional areas in this modification are 58.2 acres, a reduction of impacts from the existing permit. The applicant also proposes to impact 15.87 acres of non-jurisdictional wetlands. The applicant plans to construct a distribution and

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industrial/manufacturing center including distribution, warehouses, and manufacturing facilities. The 761.8 acre development will also include associated parking, stormwater basins, a rail spur, new frontage road, new highway interchange, utility corridors, and other associated buildings and facilities. The applicant states that the development goals of this site are to attract and meet light manufacturing and industrial distributor's expectations for a regionalized location that will provide international trade through the port of Charleston and interstate commerce. As mitigation for the proposed impacts the applicant proposes to preserve 14.8 acres of wetlands onsite enhanced by 8.9 acres of 50' wide upland buffers. In addition, the applicant proposes to provide in-lieu fee funds for mitigation. The purpose of the proposed work as stated by the applicant is to provide a centralized base for industrial/commercial development, manufacturing and freight dispersal for the Charleston/Summerville region.

PLEASE NOTE: This application is for a change of use and modification to existing permit #2002-1U-265 which authorized impacts to 135.29 acres of jurisdictional and non-jurisdictional wetlands (104.68 acres jurisdictional wetlands) on the site which was previously 1,400 acres in size for construction of a vehicle manufacturing facility.

NOTE: Plans depicting the work described in this notice are available and will be provided, upon receipt of a written request, to anyone that is interested in obtaining a copy of the plans for the specific project. The request must identify the project of interest by public notice number and a self-addressed stamped envelope must also be provided for mailing the drawings to you. Your request for drawings should be addressed to the

**U.S. Army Corps of Engineers
ATTN: REGULATORY DIVISION
69A Hagood Avenue
Charleston, South Carolina 29403-5107.**

The District Engineer has concluded that the discharges associated with this project, both direct and indirect, should be reviewed by the South Carolina Department of Health and Environmental Control in accordance with provisions of Section 401 of the Clean Water Act. As such, this notice constitutes a request, on behalf of the applicant, for certification that this project will comply with applicable effluent limitations and water quality standards. The work shown on this application must also be certified as consistent with applicable provisions of the South Carolina Coastal Zone Management Act (15 CFR 930). The District Engineer will not process this application to a conclusion until such certifications are received. The applicant is hereby advised that supplemental information may be required by the State to facilitate the review. Persons wishing to comment or object to State certification must submit all comments in writing to the S.C. Department of Health and Environmental Control at the above address within thirty (30) days of the date of this notice.

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. Implementation of the proposed project would impact 58.2 acres of jurisdictional freshwater wetlands inland of estuarine substrates and emergent wetlands utilized by various life stages of species comprising the red drum, shrimp, and snapper-grouper management complexes. Our initial determination is that the proposed action would not have a substantial individual or cumulative adverse impact on EFH or fisheries managed by the South Atlantic Fishery Management Council and the National Marine Fisheries Service (NMFS). Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the NMFS.

The District Engineer has consulted the most recently available information and has determined that the project is likely to have no effect on the red-cockaded woodpecker, pondberry, Canby's dropwort, American chaff and is likely to adversely affect the flatwoods salamander *Ambystoma cingulatum*. This public notice serves as a request to the U.S. Fish and Wildlife Service and/or the National Marine Fisheries Service to initiate formal consultation on this species and/or critical habitat that may be present in the area which would be affected, pursuant to Section 7(c) of the Endangered Species Act of 1973 (as amended). A biological

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assessment (or other similar document) detailing our analysis of the effects of the action will be provided.

Pursuant to Section 106 of the National Historic Preservation Act (NHPA), this public notice also constitutes a request to Indian Tribes to notify the District Engineer of any historic properties of religious and cultural significance to them that may be affected by the proposed undertaking.

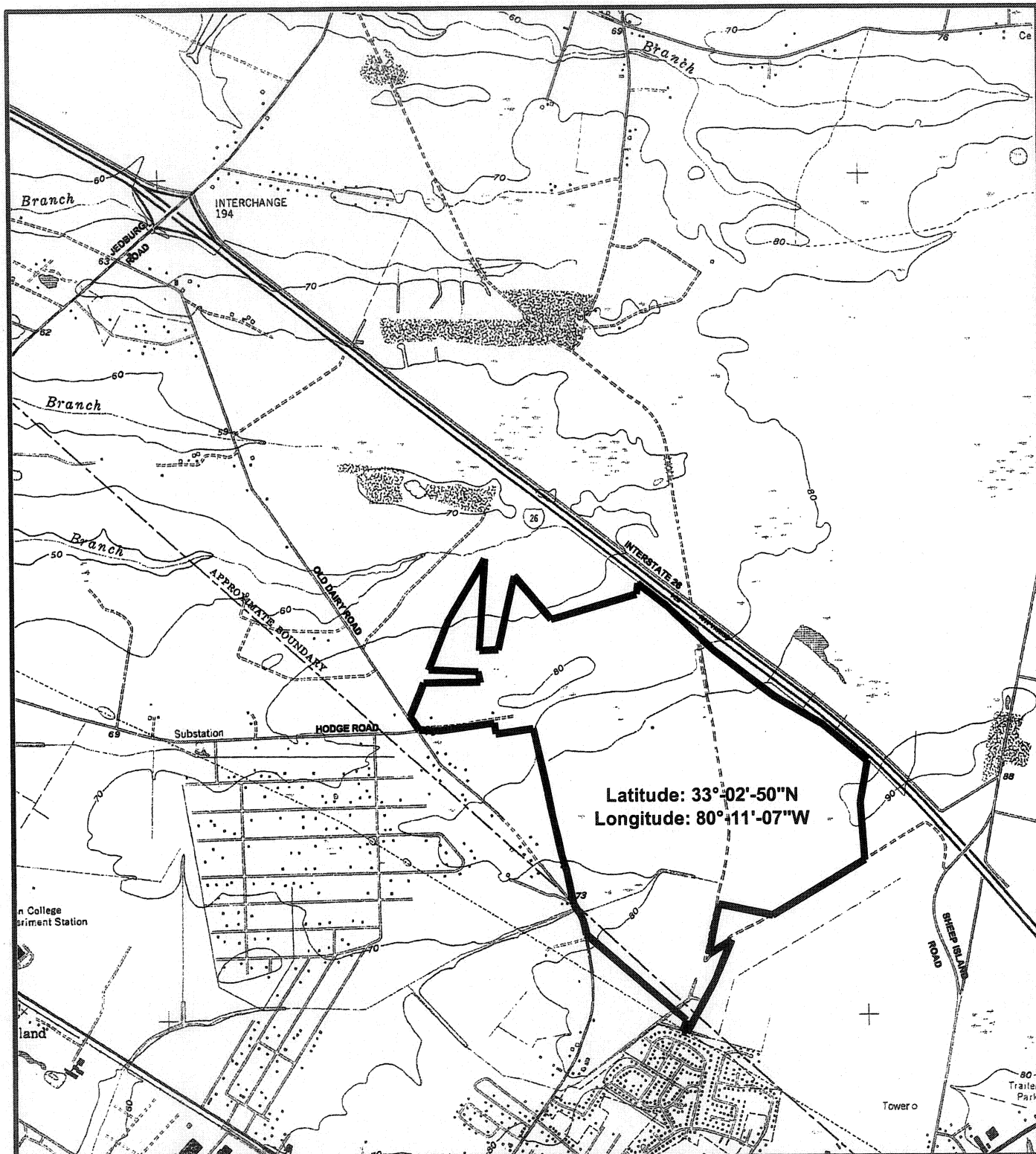
In accordance with the NHPA, the District Engineer has also consulted the latest published version of the National Register of Historic Places for the presence or absence of registered properties, or properties listed as being eligible for inclusion therein, and this worksite is not included as a registered property or property listed as being eligible for inclusion in the Register. To insure that other cultural resources that the District Engineer is not aware of are not overlooked, this public notice also serves as a request to the State Historic Preservation Office to provide any information it may have with regard to historic and cultural resources.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reasons for holding a public hearing.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest and will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency (EPA), under authority of Section 404(b) of the Clean Water Act and, as appropriate, the criteria established under authority of Section 102 of the Marine Protection, Research and Sanctuaries Act of 1972, as amended. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the project must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the project will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production and, in general, the needs and welfare of the people. A permit will be granted unless the District Engineer determines that it would be contrary to the public interest. In cases of conflicting property rights, the Corps of Engineers cannot undertake to adjudicate rival claims.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this project. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity.

If there are any questions concerning this public notice, please contact Mary Hope Glenn at 843-329-8044 or toll free at 1-866-329-8187.



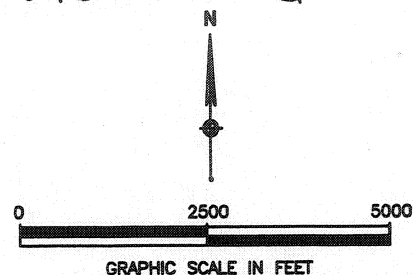
SAC 2006-2524-216

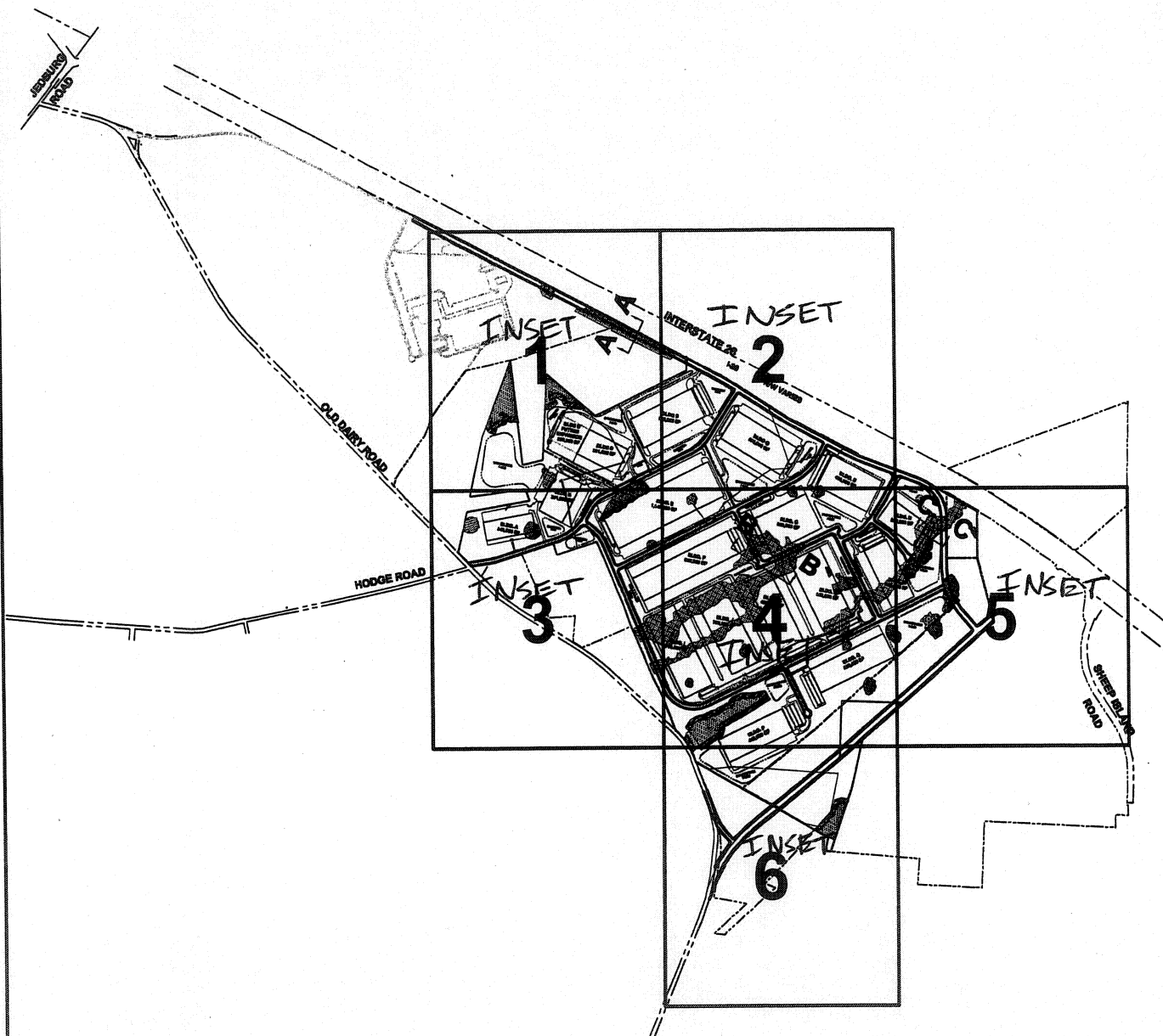
Location Map

REFERENCE:
USGS QUAD MAP
SUMMERVILLE, SC
7.5 MINUTE SERIES
DATED 1990

MACTEC

Project Title: Berkeley Interstate Site
Applicant: S.C. Public Railways
Location: Berkeley County, SC
Date: October 2006
File: 2002-1U-265
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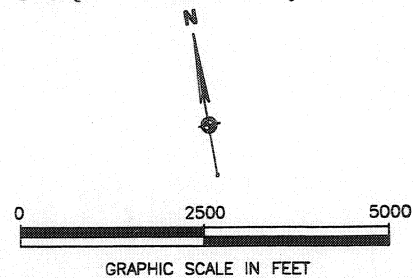


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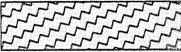

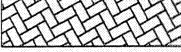

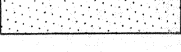





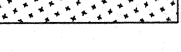
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All proposed improvements (including building locations) and grading shown are approximate. Final improvement locations and site grading will be determined upon preparation of final design plans.



LEGEND

<u>LABEL</u>	<u>ORIGINAL PERMIT IMPACT ACRES</u>	<u>PROPOSED MODIFIED PERMIT ACRES</u>
 JURISDICTIONAL WETLANDS TO REMAIN	21.025	1.14
 JURISDICTIONAL WETLANDS TO BE FILLED	99.026	52.12
 JURISDICTIONAL WETLANDS TO BE EXCAVATED	2.289	3.83
 JURISDICTIONAL WETLANDS TO BE BACKFILLED AND BEDDED	0.431	0.43
 UPLAND BUFFER	14.332	8.90
 JURISDICTIONAL WETLANDS TO BE PRESERVED	60.711	14.8
 NONJURISDICTIONAL WETLANDS TO REMAIN	0.232	0
 NONJURISDICTIONAL WETLANDS TO BE FILLED	28.361	14.58
 NONJURISDICTIONAL WETLANDS TO BE EXCAVATED	2.009	1.39
 JURISDICTIONAL DITCHES TO BE FILLED EXCAVATED OR PIPED	2.485	1.37
 JURISDICTIONAL WETLANDS TO BE CLEARED	<u>0.453</u>	<u>0.45</u>
TOTAL PROJECT WETLANDS ACREAGE	231.354 Ac	98.35 Ac
TOTAL PROJECT ACREAGE	1400 Acres	761.85 Acres

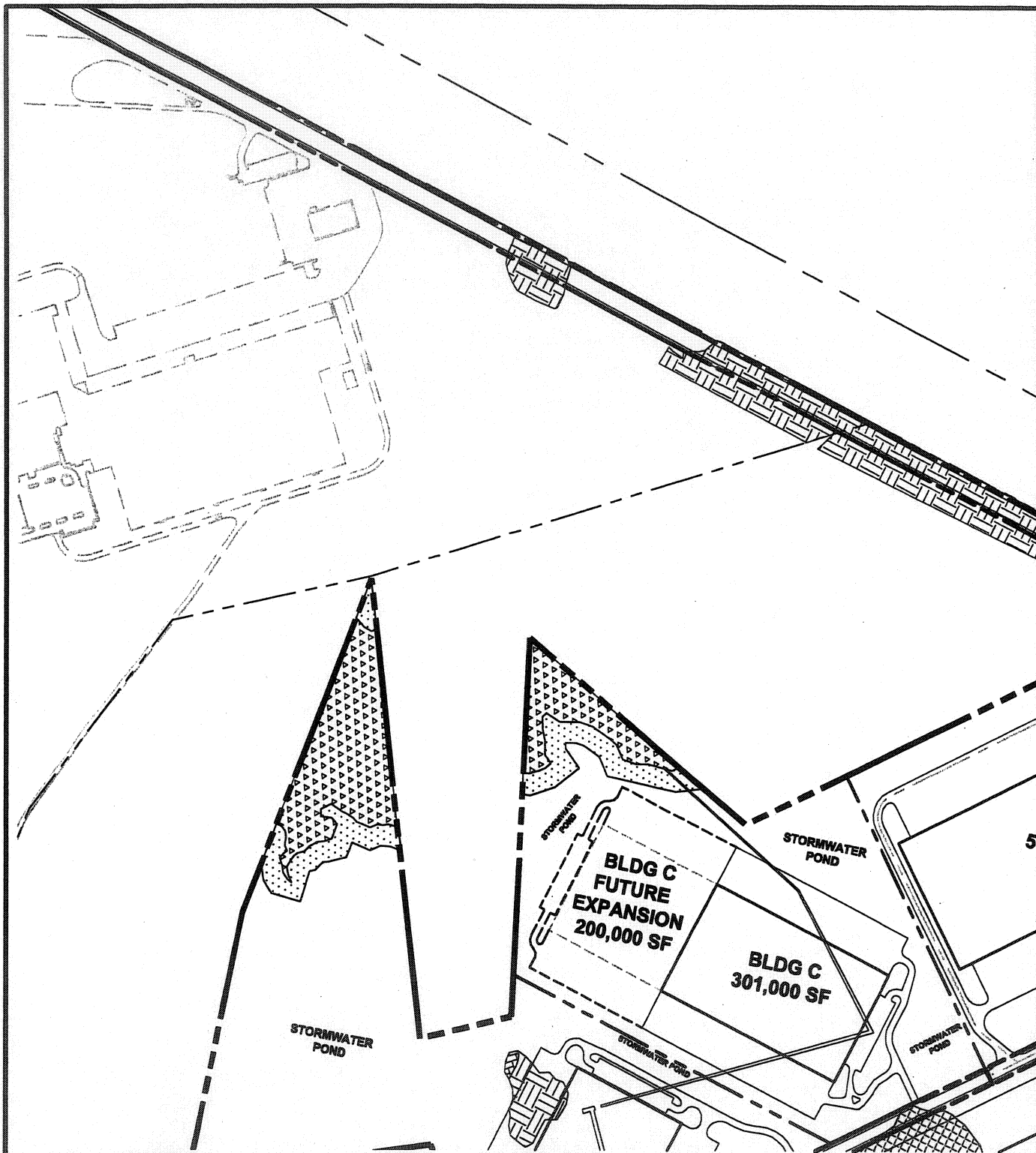
Legend

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Project Title: Berkeley Interstate Site
Applicant: S.C. Public Railways
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LEGEND

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- JURISDICTIONAL WETLANDS TO BE FILLED
- JURISDICTIONAL WETLANDS TO BE EXCAVATED
- JURISDICTIONAL WETLANDS TO BE BACKFILLED AND SEED
- UPLAND BUFFER
- JURISDICTIONAL WETLANDS TO BE PRESERVED
- NONJURISDICTIONAL WETLANDS TO REMAIN
- NONJURISDICTIONAL WETLANDS TO BE FILLED
- NONJURISDICTIONAL WETLANDS TO BE EXCAVATED
- JURISDICTIONAL DITCHES TO BE FILLED, EXCAVATED OR PIPED
- JURISDICTIONAL WETLANDS TO BE CLEARED

Inset 1

Project Title: Berkeley Interstate Site
 Applicant: S.C. Public Railways
 Location: Berkeley County, SC
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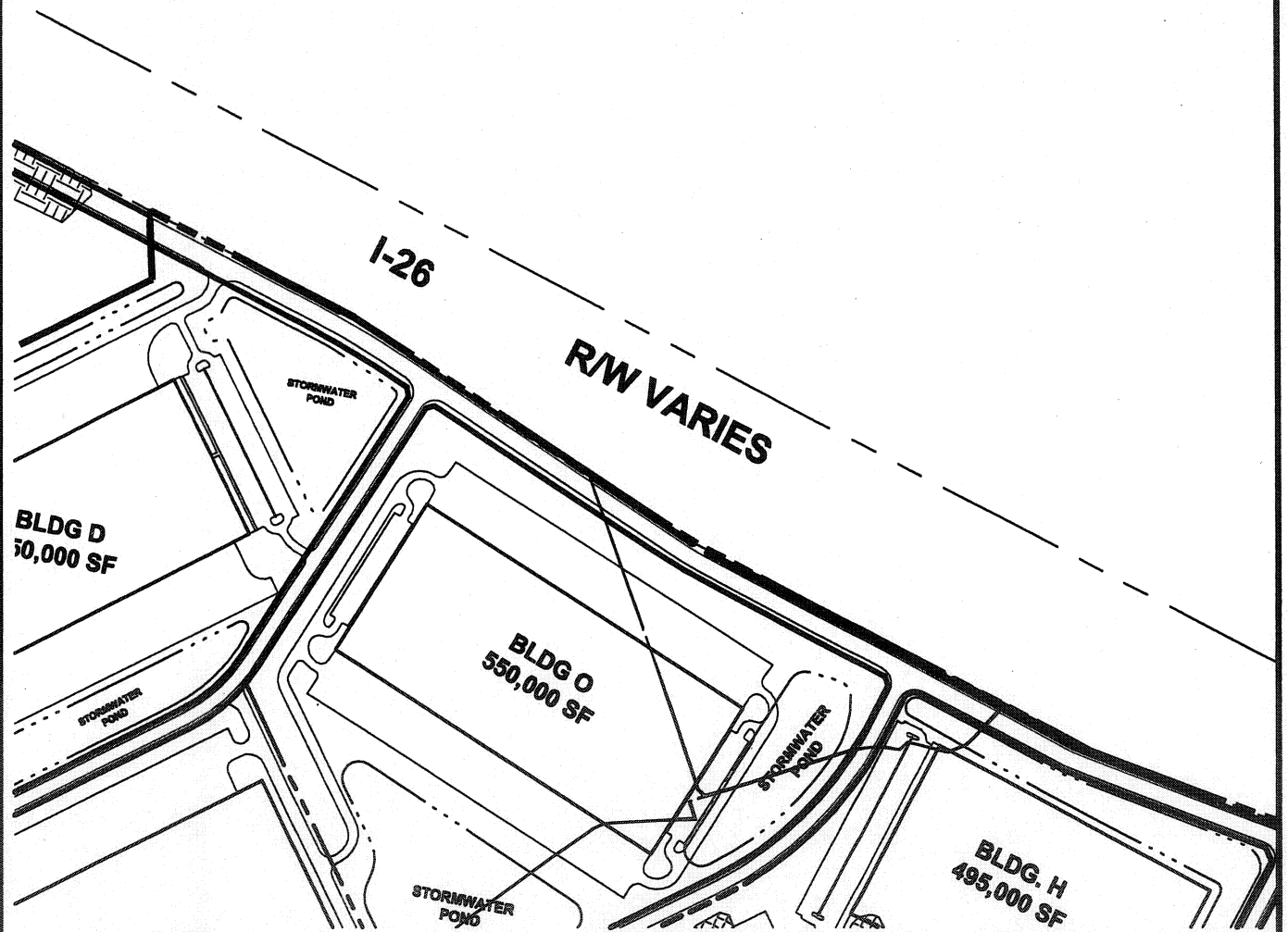
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GRAPHIC SCALE IN FEET

SAC 2006 - 2524-216



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-  JURISDICTIONAL WETLANDS TO BE BACKFILLED AND BEDDED
-  UPLAND BUFFER
-  JURISDICTIONAL WETLANDS TO BE PRESERVED
-  NONJURISDICTIONAL WETLANDS TO REMAIN
-  NONJURISDICTIONAL WETLANDS TO BE FILLED
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Applicant: S.C. Public Railways

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Inset 3

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Project Title: Berkeley Interstate Site

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Location: Berkeley County, SC

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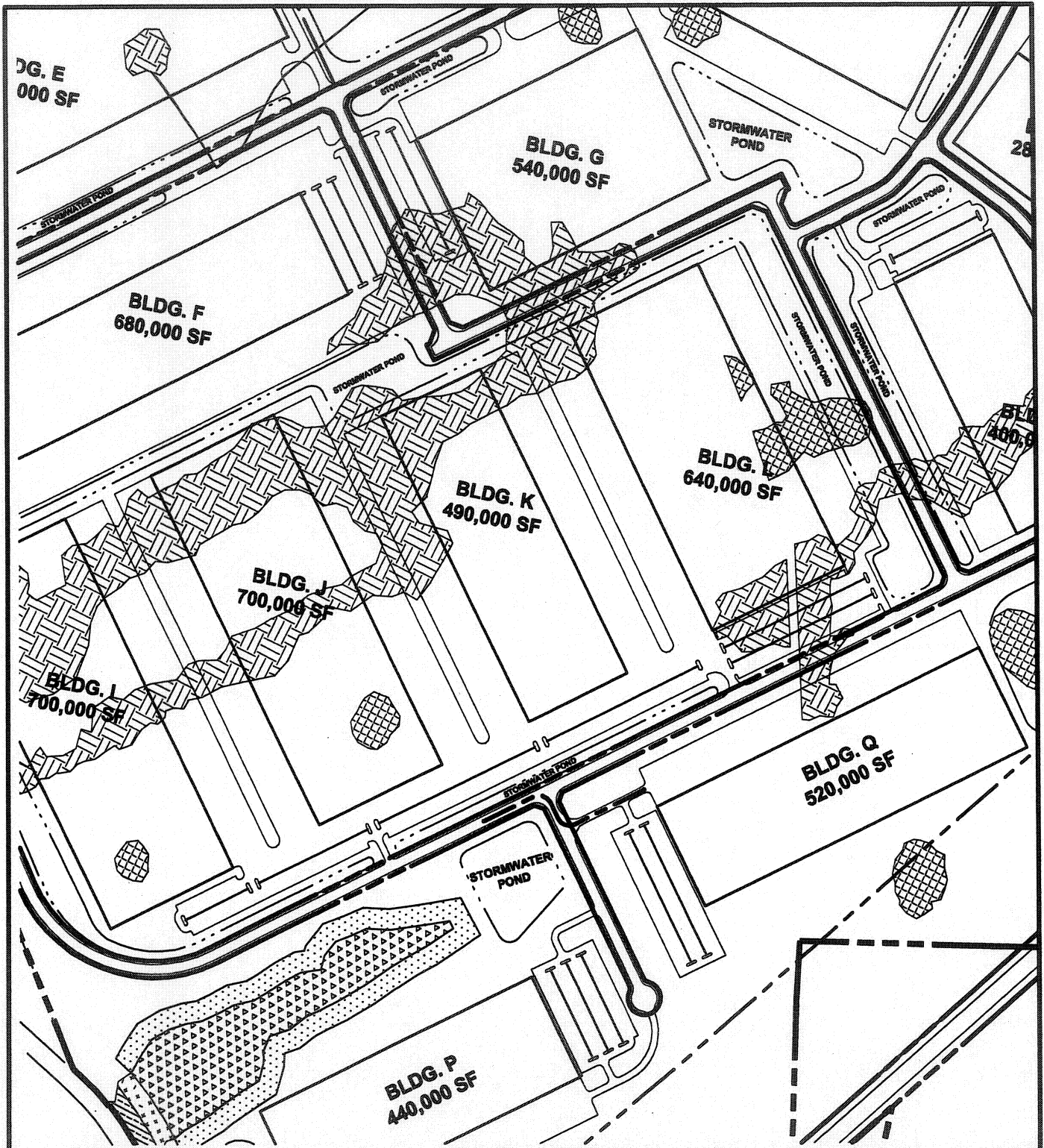
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- JURISDICTIONAL WETLANDS TO BE BACKFILLED AND BEDDED
- UPLAND BUFFER
- JURISDICTIONAL WETLANDS TO BE PRESERVED
- NONJURISDICTIONAL WETLANDS TO REMAIN
- NONJURISDICTIONAL WETLANDS TO BE FILLED
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- JURISDICTIONAL DITCHES TO BE FILLED EXCAVATED OR PIPED
- JURISDICTIONAL WETLANDS TO BE CLEARED

Inset 4

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Project Title: Berkeley Interstate Site

Applicant: S.C. Public Railways

Location: Berkeley County, SC

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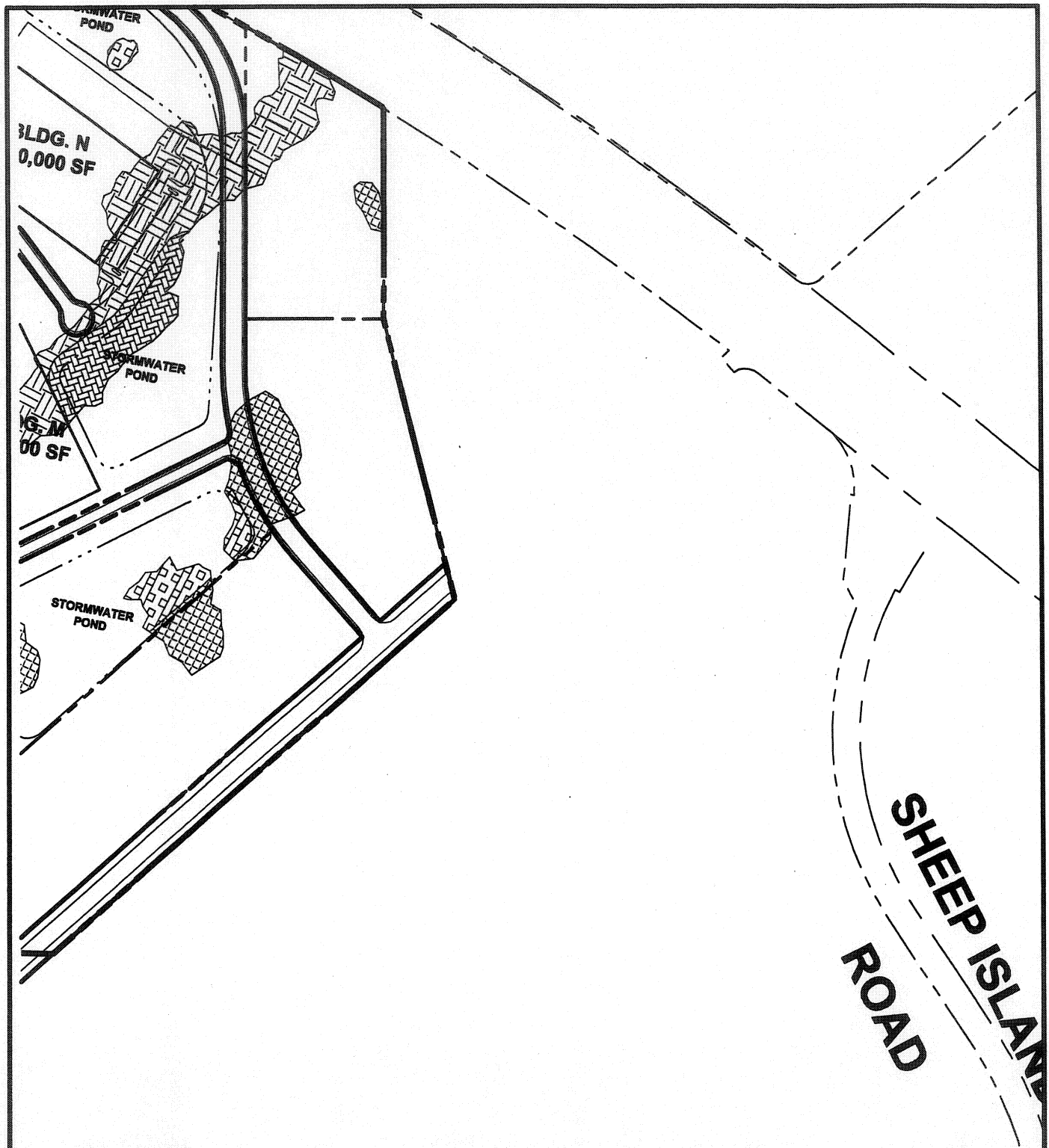
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GRAPHIC SCALE IN FEET



LEGEND

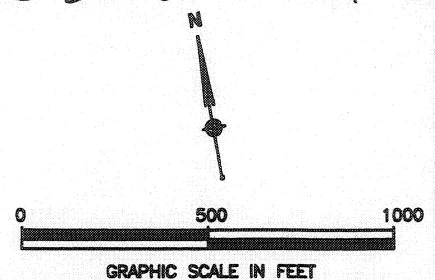
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- JURISDICTIONAL WETLANDS TO BE PRESERVED
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- NONJURISDICTIONAL WETLANDS TO BE FILLED
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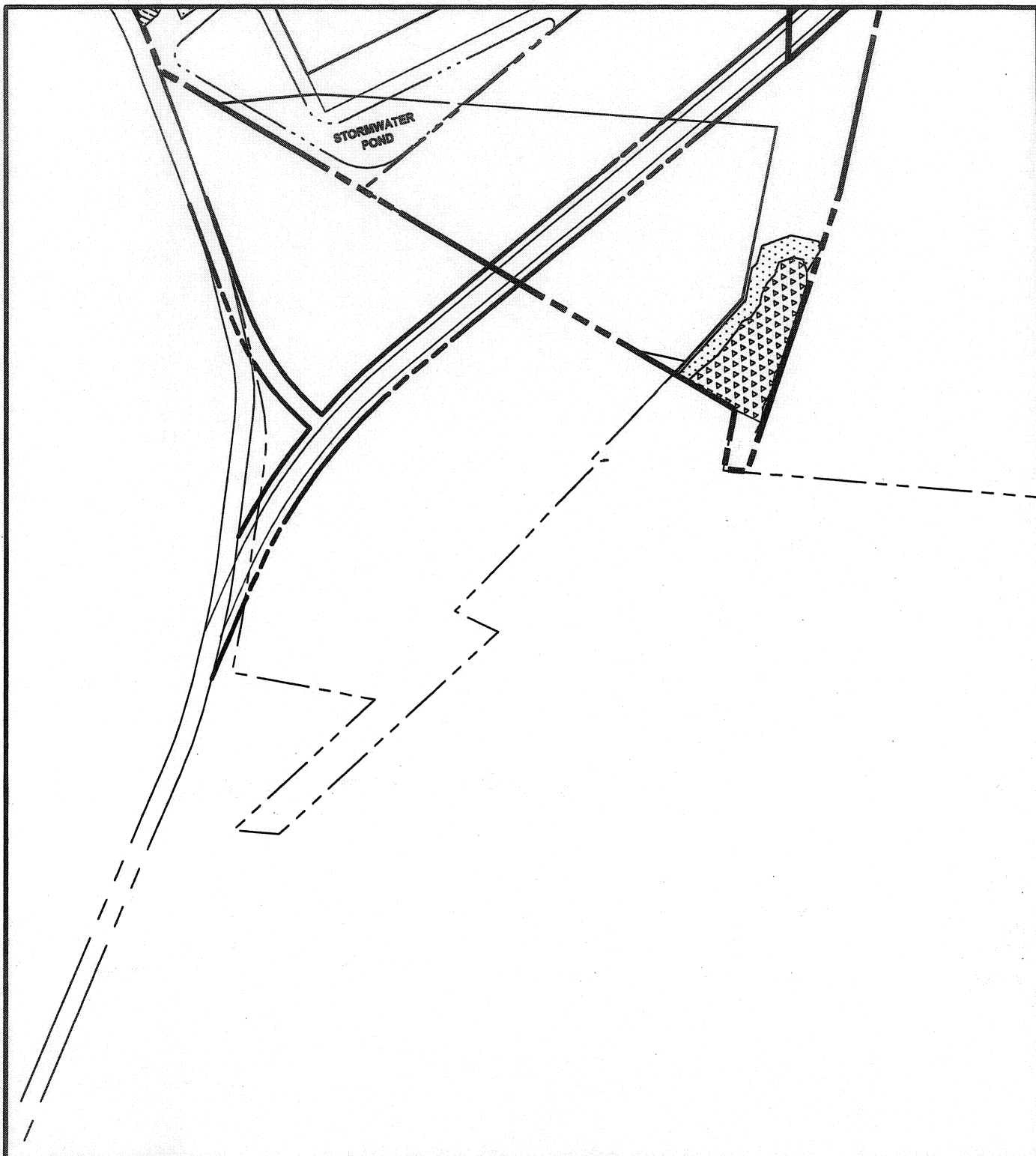
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-  JURISDICTIONAL WETLANDS TO BE PRESERVED
-  NONJURISDICTIONAL WETLANDS TO REMAIN
-  NONJURISDICTIONAL WETLANDS TO BE FILLED
-  NONJURISDICTIONAL WETLANDS TO BE EXCAVATED
-  JURISDICTIONAL DITCHES TO BE FILLED EXCAVATED OR Piped
-  JURISDICTIONAL WETLANDS TO BE CLEARED

Inset 6

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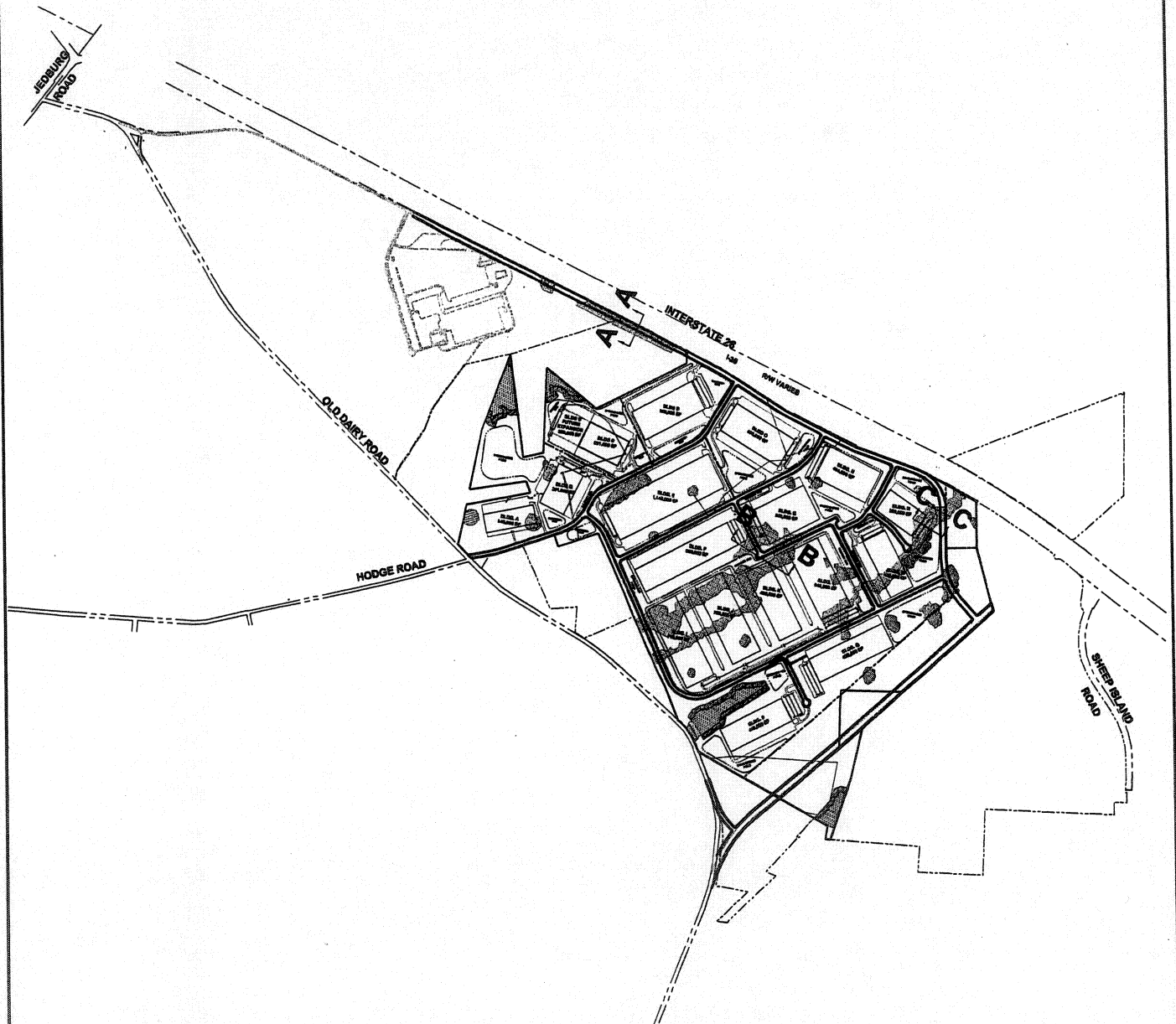
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 **MACTEC**

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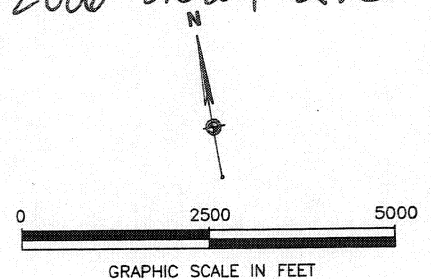


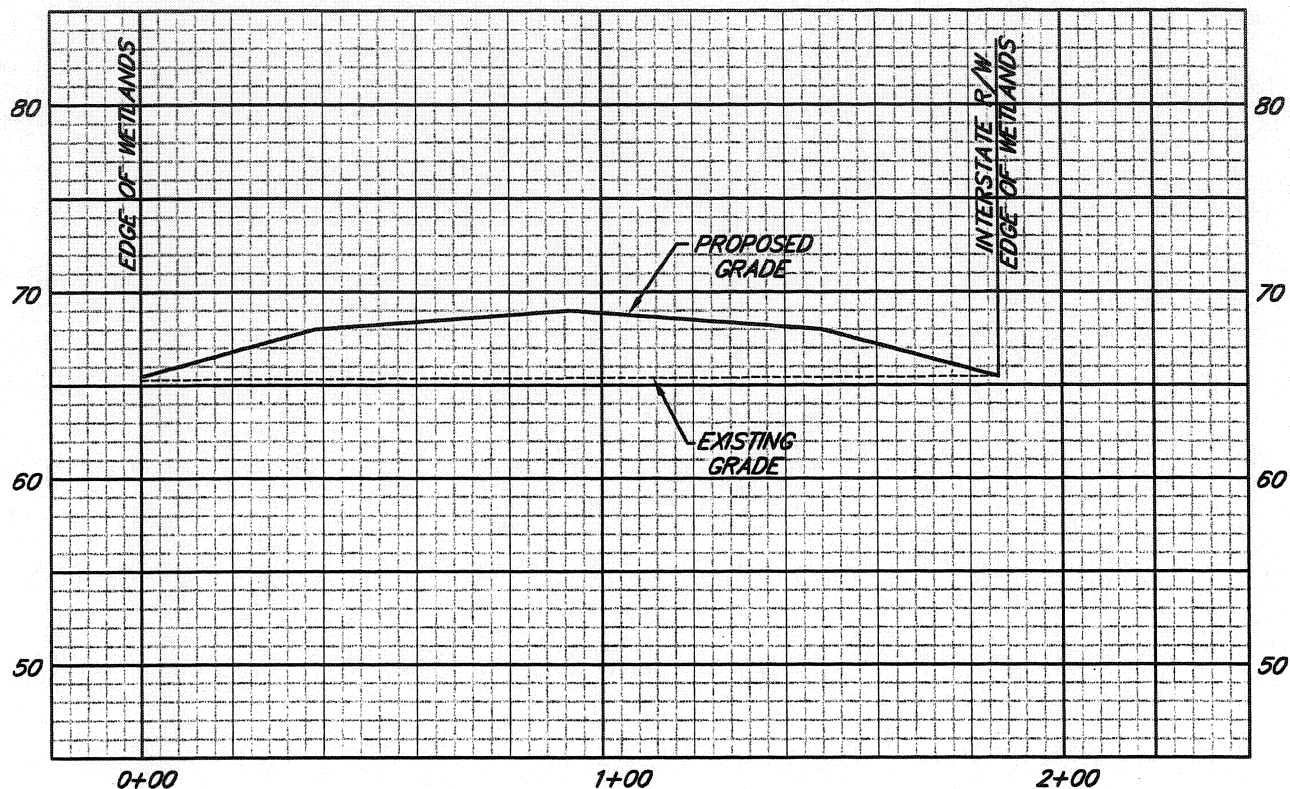
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Cross Section Location Map

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Wetland Cross Section A-A

Scale: 1"=40' Hor.; 1"=10' Ver.

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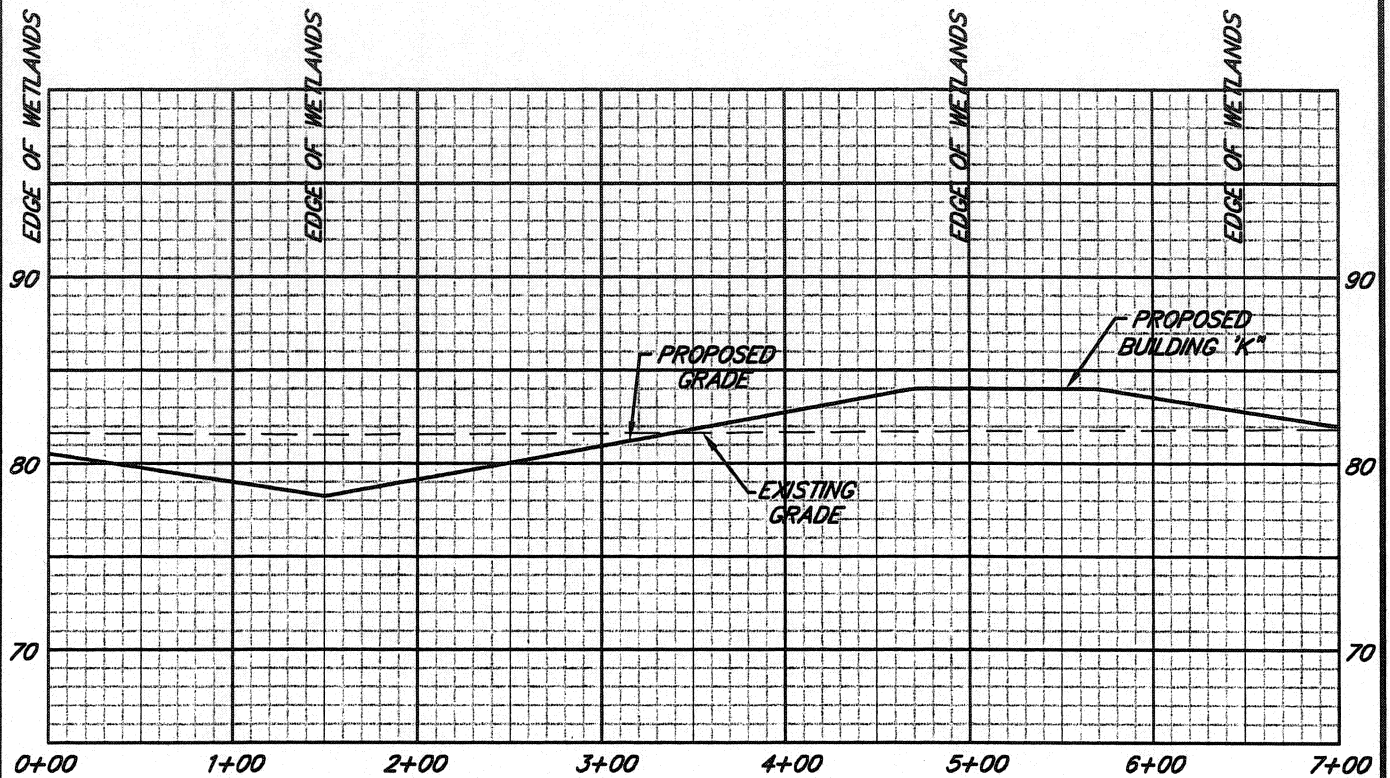
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Wetland Cross Section B-B

Scale: 1"=100' Hor.; 1"=10' Ver.

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Project Title: Berkeley Interstate Site

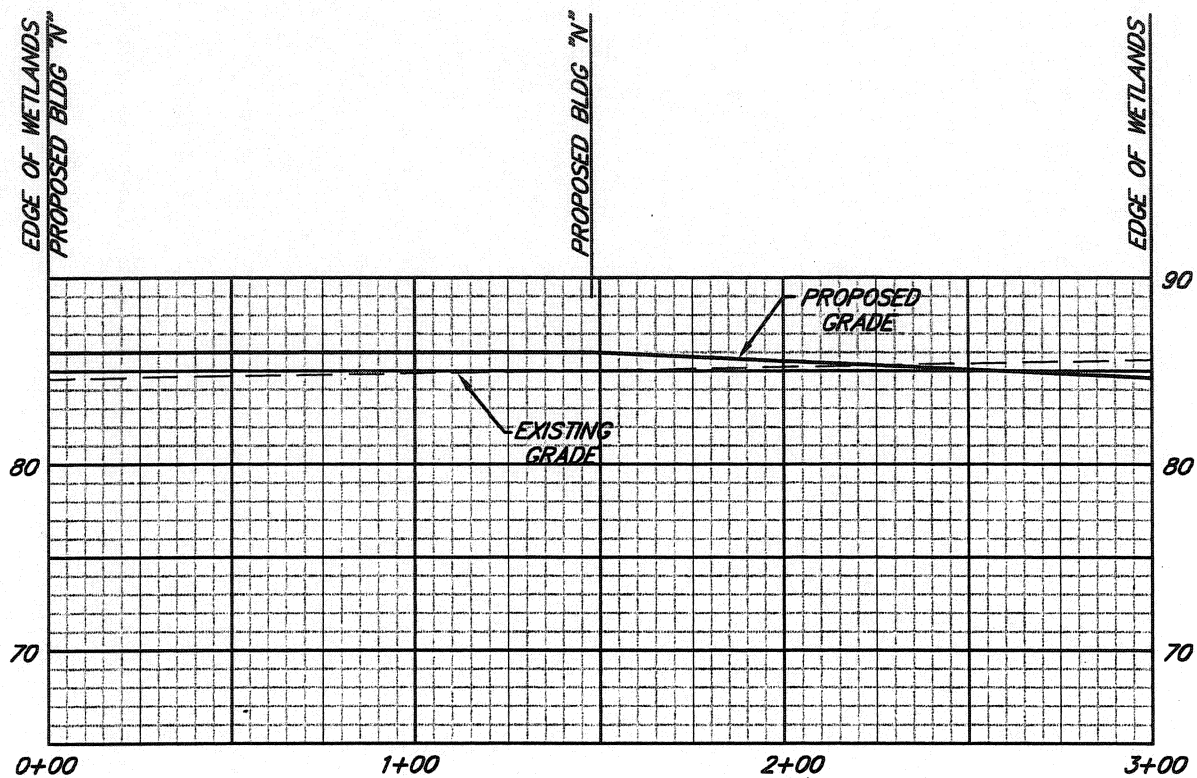
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Wetland Cross Section C-C

Scale: 1"=50' Hor.; 1"=10' Ver.

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